

# 4 1/2

**Sealed Air Corporation FAX**[www.sealedair.com](http://www.sealedair.com)

(703) 746-6695

Cryovac, Inc.

P.O. Box 484

100 Rogers Bridge Road, Bldg. A

Duncan, SC 29334-0464

USA

MARGARET B. WHITE

LEGAL SPECIALIST

Tel: (864) 433-2342

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e-mail: [maggie.white@sealedair.com](mailto:maggie.white@sealedair.com)**Number of pages including this page: 15**

TO: Patricia A. Booker/USPTO

FROM: Maggie White for Mark B. Quatt

DATE: April 22, 2003

RE: US App. No. 10/070,771

COMMENTS: Please see copies of 2 previous letters with attachments and  
advise status of this application.

Thank you.

THIS FACSIMILE TRANSMISSION MAY CONTAIN CONFIDENTIAL AND/OR LEGALLY PRIVILEGED INFORMATION BELONGING TO THE SENDER AND INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED BELOW.

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FAX RECEIVED

OCT 30 2003

GROUP 3700

**Sealed Air Corporation FAX**  
[www.sealedair.com](http://www.sealedair.com) (703) 746-6695

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P.O. Box 464  
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Number of pages including this page: 13

TO: Patricia A. Booker/USPTO  
FROM: Maggie White for Mark Quatt  
DATE: 01-08-03  
COMMENTS: US App. No. 10/070,771

Attached is a copy of our fax with attachments of November 25, 2002. Please let me know if the Notification of Abandonment will be withdrawn. Thanks for your assistance.

THIS FACSIMILE TRANSMISSION MAY CONTAIN CONFIDENTIAL AND/OR LEGALLY PRIVILEGED INFORMATION BELONGING TO THE SENDER AND INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED BELOW.

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\*\*\*JOB STATUS REPORT \*\*

AS OF NOV 25 2002 14:05 PAGE. 01

CRYOVAC-LEGAL-DUNCAN

JOB #363

DATE TIME  
001 11/25 14:01TO/FROM MODE MIN/SEC PGS STATUS  
917037466695 EC--S 03' 44" 013 OK**Sealed Air Corporation**[www.sealedair.com](http://www.sealedair.com)**FAX**

(703) 746-6695

Cryovac, Inc.  
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100 Rogers Bridge Road, Bldg. A  
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USAMARGARET B. WHITE  
LEGAL SPECIALIST  
Tel: (864) 433-2342  
Fax: (864) 433-2831  
e-mail: [maggie.white@sealedair.com](mailto:maggie.white@sealedair.com)**Number of pages including this page: 13**

TO: Patricia A. Booker/USPTO  
FROM: Maggie White for Mark B. Quatt  
DATE: 11-25-02  
COMMENTS: Attached is:

- (1) a copy of the Notification of Abandonment;
- (2) a copy of our Response to Notice to File Requirements, Notice to File Requirements, Dec/POA, Request for Extension of Time, and our returned post card;
- (3) a copy of the Assignment and our returned post card.

Please let me know if the Notification of Abandonment will now be withdrawn.

Thank you for your help in this matter.

THIS FACSIMILE TRANSMISSION MAY CONTAIN CONFIDENTIAL AND/OR LEGALLY PRIVILEGED INFORMATION BELONGING TO THE SENDER AND INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED BELOW.

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UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT  
United States Patent and Trademark Office  
Washington, D.C. 20231  
www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/070,771	FIRST NAMED APPLICANT Stevens J David	ATTY. DOCKET NO. D-43368-01
---	--	--------------------------------

INTERNATIONAL APPLICATION NO. PCT/AU00/01062
---

LA. FILING DATE 09/07/2000	PRIORITY DATE 09/07/1999
-------------------------------	-----------------------------

Mark B Quatt  
Cryovac INC  
Sealed Air Corp  
Post Office Box 464  
Duncan, SC 29334

12Q  
19 2002  
MBQ  
19 2002

CONFIRMATION NO. 9664

371  
ABANDONMENT/TERMINATION  
LETTER

\*OC000000009112648\*

Date Mailed: 11/15/2002

### NOTIFICATION OF ABANDONMENT

The United States Patent and Trademark Office in its capacity as an Elected Office (37 CFR 1.495), has made the following determination:

- Applicant has failed to respond to the notification of MISSING REQUIREMENTS, mailed 05/20/2002 within the time period set therein.

Therefore, the above identified application failed to meet the requirements of 35 U.S.C. 371 and 37 CFR 1.495, and is ABANDONED AS TO THE UNITED STATES OF AMERICA.

PATRICIA A BOOKER

Telephone: (703) 305-3738

PART 3 - OFFICE COPY

FORM PCT/DO/EO/809 (371 Abandonment Notice)



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT  
United States Patent and Trademark Office  
Washington, D.C. 20231  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/070,771	Stevens J David	D-43368-01

Mark B Quatt  
Cryovac INC  
Sealed Air Corp  
Post Office Box 464  
Duncan, SC 29334

REC'D MAY 28 2002  
L. B. 640  
MAY 29 2002

INTERNATIONAL APPLICATION NO.	
PCT/AU00/01062	
I.A. FILING DATE	PRIORITY DATE
09/07/2000	09/07/1999

CONFIRMATION NO. 9664  
371 FORMALITIES LETTER  
\*OC000000008152448\*

Date Mailed: 05/20/2002

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 30 months from the priority date (37 CFR 1.492(e)) is required.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Late oath or declaration Surcharge.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PATRICIA A BOOKER

Telephone: (703) 305-3738

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/070,771	PCT/AU00/01062	D-43368-01

FORM PCT/DO/EO/905 (371 Formalities Notice)

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL, POSTAGE PREPAID, IN AN ENVELOPE ADDRESSED TO: BOX PCT, COMMISSIONER FOR PATENTS, WASHINGTON, D.C. 20231, ON THE DATE NOTED BELOW MY SIGNATURE.

Margaret B. White  
Margaret B. White

10-18-02  
Date

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: David J. Stevens

Serial Number: 10/070,771

Filing Date: 09-07-00

Title: METHOD FOR PACKAGING AND PACKAGING APPARATUS

Docket No: D-43368-01

Group Art No.:

Examiner:

**RESPONSE TO NOTIFICATION TO FILE REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

Attention: Box PCT  
Commissioner for Patents  
Washington, D.C. 20231

Sir:

With reference to the Notification of Missing Requirements mailed on May 20, 2002, enclosed is:

1. a Combined Declaration and Power of Attorney for Patent Application signed by the inventor;
2. a copy of the Notification of Missing Requirements; and
3. a Petition for Extension of Time.

Please charge the fee for late filing of original declaration or oath (\$130.00) as well as the three months extension of time (\$920.00) to Deposit Account No. 07-1765.

The Commissioner is hereby authorized to charge any other necessary and required prosecutorial fee that may be required to Deposit Account No. 07-1765.

Please address all correspondence to the below-indicated address.

Cryovac, Inc.  
P.O. Box 464  
Duncan, S.C. 29334  
(864) 433-2817

10-18-02

DATE

Respectfully submitted,

Mark B. Quatt  
Mark B. Quatt  
Attorney for Applicant  
Registration No. 30,484

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING  
DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS  
FIRST CLASS MAIL, POSTAGE PREPAID, IN AN ENVELOPE  
ADDRESSED TO: ATTENTION: BOX MISSING PARTS,  
COMMISSIONER FOR PATENTS, WASHINGTON, D.C. 20231, ON  
THE DATE NOTED BELOW MY SIGNATURE

Margaret B. White

Margaret B. White

10-18-02

DATE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: David J. Stevens

Docket No.: D-43368-01

Serial No.: 10,070,771

Filing Date: 09-07-00

Title: METHOD FOR PACKAGING AND PACKAGING APPARATUS

COMBINED DECLARATION AND POWER OF ATTORNEY

Sir:

As the above-identified inventor, I hereby declare that:

- 1) My residence and post office address and citizenship are given below.
- 2) I believe that I am the first, original, and sole inventor of the subject matter which is claimed and for which a patent is sought for the above-entitled invention, the specification of which was filed on September 7, 1999, as PCT International Application Number PCT/AU00/01062.
- 3) I have reviewed and understand the contents of the above-identified specification, including the claims and any drawings attached thereto.
- 4) I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations 1.56(a).
- 5) Pursuant to 35 U.S.C. 119, I hereby claim foreign priority benefits based upon the below-identified foreign application for patent or inventor's certificate:

Country: N/A

Serial No.: N/A



- 6) Any corresponding foreign counterpart applications for patent or inventor's certificate which were filed prior to the above-identified priority application are listed below:

Country: N/A  
Serial No.: N/A  
Filed: N/A

- 7) I hereby appoint the following attorneys who may be reached at the below-identified address and telephone numbers, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith: John J. Wasatonic, Registration No. 29,984, Mark B. Quatt, Registration No. 30,484; Rupert B. Hurley Jr., Registration No. 29,313, Thomas C. Lagaly, Registration No. 34,652 and Daniel B. Ruble, Registration No. 40,794.

Direct all correspondence and telephone calls to Mark B. Quatt at:

Address: Cryovac, Inc.  
P. O. Box 464  
Duncan, SC 29334  
Telephone: (864) 433-2817

- 8) All statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

FULL NAME OF INVENTOR: David L. Stevens  
INVENTOR'S SIGNATURE: [Signature]  
DATE OF EXECUTION: 9<sup>TH</sup> OCTOBER 2002.  
CITIZENSHIP: AUSTRALIAN  
RESIDENCE ADDRESS: DANKS STREET ALBERT PARK AUSTRALIA.  
POST OFFICE ADDRESS: P.O. Box 736 P<sup>R</sup> MELBOURNE  
AUSTRALIA 3207

Margaret B. White  
Margaret B. White  
10-18-02  
DATE

Received from < 864 433 2831 > at 4/22/03 4:13:58 PM [Eastern Daylight Time]

Docker No.: D-43368-01

Based on FORM PTO-1898	
<b>RECORDATION FORM COVER SHEET PATENTS ONLY</b>	
To the Honorable Commissioner of Patents and Trademarks: Please record the attached original document or copy thereof.	
1. Name(s) of conveying party or parties: <b>David J. Stevens</b>  Additional name(s) of conveying party or parties attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	2. Name and address of receiving party:  <b>Cryovac, Inc. P. O. Box 464 Duncan, SC 29334</b>
3. Nature of conveyance: <input checked="" type="checkbox"/> Assignment Execution date(s): October 9, 2002	
4. This document is to be recorded against the following patent or previously filed patent application: <b>METHOD FOR PACKAGING AND PACKAGING APPARATUS, USSN 10/070,771</b>	
5. Name and address of party to whom correspondence concerning the enclosed document should be mailed:  <b>Mark B. Quatt Cryovac, Inc. P.O. Box 464 Duncan, South Carolina 29334</b>	6. Total number of applications and patents involved:  <b>1</b>
	7. Total fee (37 C.F.R. § 3.41) . . . . . <b>\$40.00</b>  Please charge this amount, as well as any necessary additional fees, to the deposit account listed below.
	8. Deposit Account No.: <b>07-1765</b>
9. Statement and signature To the best of my knowledge and belief, the foregoing information is true and correct, and any attached copy is a true copy of the original document.  <b>Mark B. Quatt</b> <u><i>Mark B. Quatt</i></u> <u>10-18-02</u> Registration No. 30,484      Signature      Date  Total number of pages including cover sheet, attachments, and document: <b>1</b>	

## Certificate of Mailing

- ☒ Under 37 C.F.R. § 1.8, I certify that this correspondence is being deposited, on the date indicated below, with the United States Postal Service, First Class Mail Service, postage paid and addressed to the Commissioner for Patents, Washington, D.C. 20231.

10-18-02  
Date

Margaret B. White  
MARGARET B. WHITE

**ASSIGNMENT**

WHEREAS I, David J. Stevens, residing at 97 Station Street, Port Melbourne, Victoria 3207, Australia, have made an invention relating to a packaging apparatus, which invention is described in an application for Letters Patent of the United States entitled METHOD FOR PACKAGING AND PACKAGING APPARATUS filed September 7, 1999 , and bearing serial number 10,070,771;

WHEREAS Cryovac, Inc., a corporation organized and existing under the laws of the State of Delaware and having a place of business at 100 Rogers Bridge Road, Building A, P.O. Box 464, Duncan, SC, 29334 is desirous of acquiring the entire right, title, and interest in and to said invention and in and to any Letters Patent that may be granted therefor;

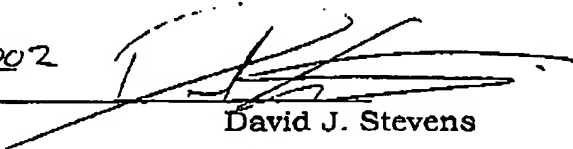
NOW THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, I, by these presents do sell, assign, and transfer to Cryovac, Inc., its successors and assigns the full, exclusive, and world-wide right to the said invention and the entire right, title, and interest in, to, and under any Letters Patent which may be granted therefor in the United States, in the territorial possessions of the United States, and in any country foreign to the United States, the same to be held and enjoyed by the said Cryovac, Inc., its successors and assigns as fully and entirely as the same would have been held by us or by either of us had this assignment and sale not been made.

And I do hereby authorize and request the Commissioner of Patents of the United States and the Patent Office officials in countries foreign to the United States to issue said Letters Patent to said Cryovac, Inc., as the assigns of our entire right, title, and interest in, to, and under the same, and we hereby further authorize said Cryovac, Inc. to apply for Letters Patent in our names or in its own name, as it in its sole discretion sees fit, utilizing any benefits which may exist under any International Arrangement, in any country foreign to the United States.

And I do hereby agree for myself and for my heirs, executors, and administrators to execute any lawful document and to testify as to any material fact or thing which Cryovac, Inc., its successors and assigns may deem necessary in order to secure unto itself, its successors and assigns the full right, title, and interest in and to and the full enjoyment of said invention or any part therefor and the said Letters Patent or any of them, the same to be done without any further consideration.

*IN WITNESS WHEREOF*, I have hereby set my hand and affixed my seal  
on the date set forth below.

Dated: 09 OCTOBER 2002

  
\_\_\_\_\_  
David J. Stevens

REC'D NOV 12 2002

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Stevens  
Serial No: 10/070,771 Group Art Unit: \_\_\_\_\_  
Filed: 9-7-00 Docket No.: D-43369-01  
Examiner: \_\_\_\_\_  
For: METHOD FOR PACKAGING AND PACKAGING  
APPARATUS

Please acknowledge receipt of the following

1. RECORDATION FORM COVER SHEET + ASSIGNMENT (3 pages)
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_
7. \_\_\_\_\_

Mailed: 10-18-02 USPTO

REC'D 11 11 2002

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Stevens  
Serial No.: 101070, 771 Group Art Unit:  
Filed: 9-7-00 Docket No.: D-43368-01  
Examiner:  
For: METHOD FOR PACKAGING AND PACKAGING  
APPARATUS

Please acknowledge receipt of the following:

1. RESPONSE TO NOTICE TO FILE REQUIREMENTS (1 page)
2. COPY OF NOTICE (2 pages)
3. DECLARATION (2 pages)
4. PETITION FOR EXTENSION OF TIME (1 page - duplicate)

5. DT05 Rec'd PCT/PTO 23 OCT 2002  
6.   
7.

MBQ Mailed: 10-18-02 USPTO